



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,966	04/11/2001	Louis Amadio	03797.00026	9719

28319 7590 04/01/2004

BANNER & WITCOFF LTD.,
ATTORNEYS FOR MICROSOFT
1001 G STREET, N.W.
ELEVENTH STREET
WASHINGTON, DC 20001-4597

EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 04/01/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

7

Office Action Summary

Application No.

09/832,966

Applicant(s)

AMADIO ET AL

Examiner

Dennis G Bonshock

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 10-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8</u> . | 6) <input type="checkbox"/> Other: _____ |

Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment A as received on 1-08-04.

2. Claims 1-5 and 10-25 have been examined.

Status of Claims:

3. Claims 1-5, 10-17 and 19-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Poole, "*Mac OS 8.5 Bible*".

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poole.

Drawings

5. The drawings are objected to because figure 5 fails to show details of what exists in each of the three boxes 504, 508, and the not labeled. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1-5, 10-17 and 19-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Poole, "*Mac OS 8.5 Bible*".

8. With regard to claim 1, which teaches a method of providing a graphical user interface to an operating system comprising the steps of: providing an operating system user interface manipulable by a user, Poole teaches, on page 159, paragraph 1, that clicking the column headers sorts by that heading. With regard to claim 1, further teaching a frame controlled by the operating system including a graphical representation of an item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a graphical representation of each item. With regard to claim 1, further teaching a user selectable property of the item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a date column that can be selected for sorting.

9. With respect to claim 2, teaching displaying the view in a folder view of a graphical environment, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that the items displayed are part of the Desktop Pictures folder.

10. With respect to claim 3, teaching the step of displaying the view in an array on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items displayed in an array.

11. With respect to claim 4, teaching the operating system sorting the frames by the user-selected property, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property.

12. With respect to claim 5, teaching the frame providing a plurality of sortable properties of the item, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property.

13. With respect to claim 10, which teaches a computer readable medium having computer-executable instructions for performing steps comprising: a database component for storing properties of an item that are specific to the item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a folder of disk volume for storing a icon name, modification date, etc. With respect to claim 10, further teaching a first control component for providing a graphic user interface on a video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a controllable folder for retrieving stored information and displaying it on the screen. With respect to claim 10, further teaching a second control component for displaying the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen. With regard to claim 10, further teaching a user interface component responsive to user requests for requesting the display of the properties of the item on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, a user interface for requesting a specific manipulable display on the screen. With regard to claim 10, further teaching the first control component configured to retrieve the stored properties from the database component, Poole teaches, on page 159, paragraph 1 and in figure 7-9, that when a given folder is selected the corresponding stored information is retrieved from the folder. With regard to claim 10, further teaching sending the properties to the second control component which displays the properties dynamically in a frame on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-

9, that when a given folder is selected the corresponding stored information is retrieved from the folder and displayed on the screen.

14. With respect to claim 11, which teaches having computer-executable instructions wherein the user interface component requests the sort arrangement of the properties of the item on the video screen, Poole teaches, on page 109, paragraph 2 and figure 6-3, arranging the icons by a user selectable property on the display screen.

15. With respect to claim 12, which teaches receiving a sort request from the user, sorting the properties by the sort request, and displaying the sorted properties on the video screen, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the user selecting a column heading, the items being sorted by this heading, and it being displayed on the display screen.

16. With respect to claim 13, which teaches a graphical user interface including a display, Poole teaches, on page 109, paragraph 2 and figure 6-3, a navigation services dialog box displayed on a user interface. With regard to claim 13 further teaching a graphical user interface including a user interface selection device, Poole teaches, on page 162, paragraph 5, the user navigating the folder environment through the use of a keyboard. With regard to claim 13, further teaching a method of selecting from a menu, Poole teaches, on page 109, paragraph 2 and figure 6-3, the user selecting properties from a menu. With regard to claim 13, further teaching providing specific properties about an item, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items having specific properties associated with them. With regard to claim 13, further teaching the steps of displaying a set of menu entries including a tile menu entry,

receiving a first menu entry execution signal indicative of the user interface selection device pointing at the tile menu entry on the display, displaying an arrange item menu entry including a set of cascade menu items associated therewith, receiving a menu entry selection signal indicative of the user interface selection device pointing at the arrange item menu entry on the display, in response to the selection signal, displaying the cascade menu items, receiving a second menu entry execution signal indicative of the user interface selection device pointing at one of the cascade menu items associated with the arrange item menu entry, in response to the first and second execution signals, retrieving from a default directory the specific properties of the item, displaying dynamically the properties of the item that are specific to that item in a tile format on the display, and arranging the properties of the item on the display based on the selected one of the cascade menu item, Poole teaches, on page 109, paragraph 2 and figure 6-3, the process of pointing to a menu, the menu expanding, moving over a new element, expanding to show new elements, moving into this new submenu, selecting a function, and then the specific function being implemented by arranging the icons accordingly and displaying the resultant folder on the display.

17. With respect to claim 14, which teaches the tile format being a user interface display, which includes an icon, Poole teaches, on page 159, paragraph 1 and in figures 7-9, the items having a specific icon, which represents them. With regard to claim 14, further teaching at least one row of item properties located adjacent to the icon, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the items having a properties adjacent to them.

18. With respect to claim 15, which teaches the tile format is a user interface display comprising an icon and two rows of item properties, Poole teaches, on page 131, paragraph 1 and figure 6-17, items having multiple associated item properties.

19. With respect to claim 16, which teaches receiving a third menu entry execution signal indicative of the user interface selection device pointing at the icon, and in response opening the item represented by the icon, Poole teaches, on page 160, paragraph 3 and 5, and figure 6-17, the items being able to be opened by clicking on it once and clicking on the open button or by double clicking on the icon.

20. With respect to claim 17, which teaches the item being a text file, Poole teaches, on page 11, figure 1-10 teaches that the documents can be text documents.

21. With respect to claim 19, which teaches the item being an image file, Poole teaches, on page 159, paragraph 1 and in figure 7-9, the item being an image file.

22. With regard to claim 20, which teaches a method of displaying a listing of files of one of the plurality of file types, Poole teaches, on pages 84 and 159, the displaying of a listing of files of a plurality of file types. With regard to claim 20, further teaching receiving a user selection of a property for the file type of the file, Poole further teaches, on pages 84, 158, and 159, the user selection of a property for the file. With regard to claim 20, further teaching displaying the selected property with a graphical representation of the file, Poole further teaches, on pages 84, 158, and 159, the user selection of a property for the file resulting in a preview of the document being displayed.

23. With regard to claim 21, which teaches receiving including receiving the user selection of the property from a list of the relevant properties of the file type, Poole further teaches, on page 161, the users ability to both “add to favorites”, or “remove from favorites” and on pages 83 and 84, selection of one of the item properties (date, size, kind).

24. With regard to claim 22, which teaches the set of relevant properties of the file type differs from the set of relevant properties of another of the plurality of file types, Poole further teaches, on page 84, the file size not being listed for folder files as it was listed for other files.

25. With regard to claim 23, which teaches ordering the set of files based on the displayed property, Poole further teaches, on page 83 and 84, ordering the files by selecting a specific column heading, and organizing the columns by dragging the column headings.

26. With regard to claim 24, which teaches a computer readable medium having computer readable instructions for implementing the system, Poole further teaches, on page 83, the system implemented on Mac OS 8.5, a computer readable medium having computer readable instructions.

27. With regard to claim 25, which teaches a computer readable medium having computer readable instructions for implementing the system, Poole further teaches, on page 83, the system implemented on Mac OS 8.5, a computer readable medium having computer readable instructions.

Claim Rejections - 35 USC § 103

28. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

29. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poole. Poole teaches, on page 159, paragraph 1 and in figure 7-9, a folder in which items are stored along with several properties and an icon. But doesn't teach the items being audio files. It would have been obvious to one of ordinary skill in the art, having the teachings of Poole before him at the time the invention was made to modify the folders of Poole to contain audio files. One would have been motivated to make such a combination because keeping consistency across formats, audio files and image files, will allow the user to be able to use both without un-necessary training.

Response to Arguments

30. The arguments filed on 1-23-04 have been fully considered, but they are not persuasive. Reasons are set forth below.

31. With respect to the applicants argument, that Poole fails to show a frame, with at least one slot containing a user-selected property of the item.

32. In response, the examiner respectfully submits that, Poole teaches on page 159 and on page 83, that the column headings are user selectable properties. On page 159, name is selected and the items are organized as such.

33. With respect to the applicants argument, that Poole does not teach a frame which the content of one of the slots contains a property selected by the user.

34. In response, the examiner respectfully submits that, Poole teaches on page 159 and on page 83, that the column headings are user selectable properties. On page 159, date modified is selected and the items are organized as such.

35. With respect to the applicants argument, that Poole doesn't teach a database component for storing properties specific to an item type.

36. In response, the examiner respectfully submits that Poole teaches in figures 7-9 on page 159, that there is a database, which stores properties (date) specific to item types (3D graphics, convergency, photos).

37. With respect to the applicants argument, that there are not item type specific items.

38. In response, the examiner respectfully submits that Poole further teaches, on pages 86 and 159, the folder items being item type specific.

39. With respect to the applicants argument, that Poole fails to teach a title menu entry.

40. In response, the examiner respectfully submits that Poole teaches on page 109 figure 6-3, selection of the view being by a title menu with options such by Icons, Buttons, or List. This menu further has a cascading "Arrange" sub menu selected to show additional selectable elements.

Conclusion

41. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

42. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

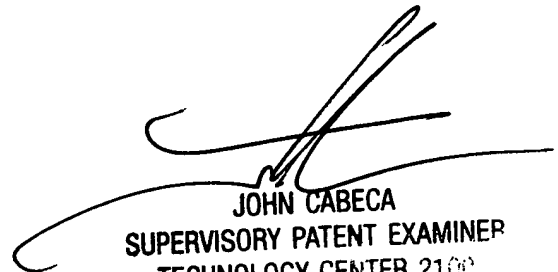
43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m.

44. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2173

45. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dgb



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100